

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: LARRY LEE WISSER and CATHLEEN RACHEL WISSER, Debtors	BANKRUPTCY NO. 20-14201 CHAPTER NO. 12
--	--

**APPLICATION FOR COMPENSATION AND
REIMBURSEMENT OF EXPENSES**

Shawn J. Lau, Esquire of Lau & Associates, P.C. applies under § 330 of the Bankruptcy Code for an award of compensation and reimbursement of actual, necessary expenses and represents:

1. Applicant is counsel for the Debtor.
2. The Debtor filed a petition under Chapter 12 of the Bankruptcy Code on October 22, 2020.
3. All services rendered and expenses incurred for which compensation or reimbursement is requested were performed or incurred for or on behalf of the debtor, the services and expenses were actual and necessary, and the compensation requested for those services is reasonable.
4. Applicant requests an award of compensation of \$13,872.50 for 91.7 hours for the following: initial consultation with client(s) and in providing before confirmation (i) the customary services of counseling and representing the Chapter 12 Debtor in connection with the analysis of the financial situation; preparation, review and filing with the court of all required documents; correspondence, telephone conversations and miscellaneous contact with creditors, the trustee, attorneys and other parties in interest; preparation for 341(a) meeting, and (ii) in representing the Debtor in connection with *[check applicable item(s)]*:

___ cure of a residential mortgage default or other treatment of residential real property claims

☒ ownership and claims relating to other real property

___ motor vehicle loans or leases

___ state or federal tax claims

___ domestic support obligations

___ student loans

☒ an operating business

___ 20 or more creditors listed in Schedule F

___ automatic stay litigation

X other litigation (*describe*): Filing objections to proofs of claim, conducting discovery, and defending against a Trustee's Motion to dismiss for fraud.

5. **The character of the Debtor required much more work than a usual case including difficult income and expense issues, as well as difficult legal issues that required immediate addressing upon entry into the matter..**
6. The character of the Debtor required more work than a usual case, including but not limited to the filing of objections to Proofs of Claim, discovery, and the need to immediately respond to, address, and defend against allegations of fraud made by the Chapter 12 Trustee, including preparing for and attending evidentiary hearings on the matter and motions practice related thereto.
7. On October 22, 2020, Debtors filed petition for relief ("Petition") under Chapter 12 of the United States Bankruptcy Code for the Eastern District of Pennsylvania.
8. Debtors' case was filed to prevent an immediate foreclosure sale of their family farm operation, and to provide for the restructuring of debts.
9. On or about May 27, 2021, the Debtors' prior attorney filed a Motion to Withdraw from their representation of the Debtors in this matter.
10. Also on or about May 27, 2021 the Chapter 12 Trustee filed an Amended Motion to Dismiss with Prejudice in relation to this matter, alleging delay and bad faith, a hearing on which was set for June 30, 2021.
11. Thereafter, on or about June 11, 2021 the Debtors dismissed their prior attorney.
12. On or about June 24, 2021 the Debtors' prior attorney was granted leave to withdraw from representation by the Court and did so.
13. Thereafter, on or about June 30, 2021, the Trustee's Motion to Dismiss was continued until August 31, 2021.
14. On or about August 13, 2021, Debtors met with current counsel to seek representation in this matter, and specifically in regards to the pending Motion to Dismiss with Prejudice.
15. On or about August 19, 2021, Debtors officially retained current counsel, who entered his appearance in this matter.
16. Thereafter, counsel was required to review approximately four (4) years of information and filings to properly address the case in a short period of time, drafted Objections to Proofs of Claim and filed the same, prepared and filed operating reports, and filed motions in relation to the pending Motion to Dismiss

and the evidentiary hearing for the same set for August 31, 2021.

17. Additionally, counsel drafted and sent discovery in relation to the Objections to Proofs of Claims filed.
18. Further, in the course of representation Counsel has been required to research and argue complicated issues of law well outside of the course of normal representation in a Chapter 12 case, which have been necessary due to the complicated nature of the Debtors' case.
19. Further, Applicant has engaged in multiple negotiations and conferences with opposing counsel in relation to this matter.
20. A hearing on the Trustee's Motion to Dismiss is now scheduled for October 12, 2021.
21. Applicant requests that compensation be awarded at the following hourly rate(s):

	<u>Hourly Rate:</u>
a. Shawn J. Lau, Esquire	\$205.00
b. John C. Tabler, Esquire	\$145.00
c. Paralegal	\$110.00
22. The Debtors paid Applicant \$4,500.00 for fees at the time counsel entered his appearance in this matter.
23. A copy of the Applicant's Amended Disclosure of Compensation pursuant to Fed. R. Bankr. P. 20 16(b) is attached hereto as Exhibit "A."
24. Applicant's fees were incurred as follows:

Shawn J. Lau, Esq.	\$205/hr	9.6 hours	\$1,968.00
John Tabler, Esq.	\$145/hr	82.1 hours	\$11,904.50
25. None of the compensation paid to applicant will be shared with any person other than a member or regular associate of applicant's law firm unless 11 U.S.C. §504(c) applies.
26. Attached as Exhibit "B" is a copy of Applicant's time records setting forth the dates and amount of time expended for the services performed on behalf of the debtor.

WHEREFORE, Applicant requests an award of \$13,872.50 in compensation for legal fees.

Dated: January 27, 2021

By: /s/Shawn J. Lau
Shawn J. Lau, Esquire
Lau & Associates, P.C.
4228 St. Lawrence Avenue
Reading, PA 19606
610-370-2000 phone
610-370-0700 fax
Shawn_lau@msn.com